

Excerpts
Planning Commission Minutes
January 9, 2002

Application No. UP-587-02, Ranger Rick's: Request for a special use permit, pursuant to Section 24.1-306 (category 9, number 8) of the Zoning Ordinance to authorize the establishment of a golf driving range, miniature golf, and batting cages on an 11.3-acre portion of a 100.5-acre parcel located at 301 Lightfoot Road (Route F-137) approximately 1,000 feet east of Route 60 on the north side of Lightfoot Road and further identified as Assessor's Parcel No. 2-17. The property is zoned EO (Economic Opportunity) and the Comprehensive Plan designates this area for Economic Opportunity uses.

Mr. Michael King presented a summary of his staff report dated December 26, 2001, in which he recommended approval. Mr. Semmes asked why the buffer is proposed to be 50 feet instead of 100 feet. Mr. King said the Pottery owns the property on both sides of the subject land, and the adjoining Pettitt property will be covered by a continuous row of evergreens, which he considers adequate buffering.

Mr. Simasek wanted to know how much parking would be required. Mr. King said there would be adequate parking for each driving range position plus one employee, and the staff considers this an adequate number of spaces. Mr. Simasek asked where miniature golf customers would park if all of the available parking spaces are taken by driving range customers. Mr. King said some adjustments could be made to the parking requirements during site plan review.

Mr. Beil asked if James City County had commented on the application; Mr. King responded they had not.

The Chair opened the public hearing.

Richard Costello, P.E., 10020 Sycamore Landing Road, AES Consulting Engineers, spoke for the applicant. He introduced other principals who could answer questions if necessary.

Mr. Costello said the land owner has significant frontage on Lightfoot Road and wants to control its development, so this is a land lease. He said the applicant proposes 51 parking spaces to serve five batting cages and 30 tees, leaving 16 parking spaces for miniature golf customers. He explained the conditional right turn taper will keep traffic moving along Lightfoot Road without impeding speed of the through traffic flow.

According to **Mr. Rick Newburg**, the applicant, the driving range and batting cages will be the primary focus of the development and will be complemented by a miniature golf course.

Mr. Beil asked if the applicant would be willing to construct a safety fence along the northern edge of the property if the EO-zoned land beyond were to be developed in the future. **Mr. Newburg** said he would do so if required, because he wants to be good citizens.

The Chair closed the public hearing.

PC02-2

On motion of Mr. Beil, which carried 7:0, the following resolution was adopted:

RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE
PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A GOLF DRIVING
RANGE, MINIATURE GOLF, AND BATTING CAGES ON
LIGHTFOOT ROAD

WHEREAS, Rick Newburg, d/b/a Ranger Rick's Driving Range, has submitted Application No. UP-587-02, which requests a special use permit pursuant to Section 24.1-306 (Category 9, No. 8 and No. 9) of the York County Zoning Ordinance to authorize the establishment of a golf driving range, miniature golf, and batting cages on an 11.3-acre portion of a 100.5-acre parcel located at 301 Lightfoot Road and further identified as Assessor's Parcel No. 2-17; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 9th day of January, 2002 that Application No. UP-587-02 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize the establishment of a golf driving range, miniature golf, and batting cages on an 11.3-acre portion of a 100.5-acre parcel located at 301 Lightfoot Road and further identified as Assessor's Parcel No. 2-17 subject to the following conditions:

1. This use permit shall authorize construction of a golf driving range, miniature golf course, and batting cages on an 11.3-acre portion of a 100.5-acre parcel of land located at 301 Lightfoot Road and further identified as Assessor's Parcel No. 2-17.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land disturbing or construction activity for this development. Said site plan shall be in substantial conformance with the concept plan titled Ranger Rick's Driving Range, prepared by AES, Consulting Engineers, and dated November 1, 2001.
3. The golf course shall be developed and operated in accordance with the standards set forth in Section 24.1-454, *Standards for all recreation and amusement uses*; Section 24.1-458, *Standards for miniature golf, waterslide, skateboard rink, baseball hitting range, golf driving*

range, and other outdoor commercial amusements. The one hundred-foot (100') separation buffer required under these standards may be reduced to a minimum of fifty feet (50'), provided that a continuous row of evergreen trees is planted along either side of the development that when mature will effectively form a screening fence. Said buffer shall consist of a strip of open space, a minimum of fifty feet (50') wide, landscaped to achieve the following ratios, at a minimum:

- One large evergreen tree (ultimate height greater than or equal to 40') for every thirty (30) linear feet measured along the outside edge of the buffer, plus
 - One medium evergreen tree (ultimate height 20' - 40' for every twenty-five (25) linear feet measured along the outside edge of the buffer.
6. A right turn taper into the development, designed in accordance with the standards of the Virginia Department of Transportation (VDOT), shall be constructed westbound on Lightfoot Road.
 7. The applicant shall be responsible for installing any additional on- or off-site improvements recommended by the Virginia Department of Transportation (VDOT).
 8. The topographical relief associated with the final construction of the miniature golf course shall be no greater than four feet (4') above the existing grade.
 9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.
